No.



9600217

THE OWNED SIMILES OF WHERICA

TO ANT TO WHOM THESE PRESENTS SHAME COME;

Agripro Seeds, Inc.

PLOTTES, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED, PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, therefore, this certificate of plant variety protection is to grant unto the said applicant(s) and the successors, heirs or assigns of the said applicant(s) for the term of twenty years from the date of this grant, subject to the payment of the required fees and periodic replenishment of viable basic seed of the variety in a public repository as provided by LAW, the right to exclude others from selling the variety, or offering it for sale, or reproducing it, or importing it, or exporting it, or conditioning it for propagation, or stocking it for any of the above purposes, or using it in producing a hybrid or different variety therefrom, to the extent provided by the Plant Variety Protection Act. in the United States seed of this variety (1) shall be sold by variety name only as a class of this seed and (2) shall conform to the number of generations specified by the owner of this, (84 stat. 1542, as amended, 7 u.s.c. 2321 et seq.)

WHEAT

'Gunner'

In Testimone Macrest, I have hereunto set my hand and caused the seal of the Hunt Unriety Heatestion Office to be affixed at the City of Washington, D.C. this twenty-eighth day of June in the year of our Lord one thousand nine hundred and ninety-six.

Months a. Stanton Commissioner Plant Variety Protection Office

Sectory of Syricalture

AGRICULTURAL MARKETING SERVICE	The following statements are made in accordance with the Privacy , 1974 (5 U.S.C. 552a).								
SCIENCE DIVISION - PLANT VARIETY PROTECTION OFF		Application is required in order to determine if a plant variety pro-							
APPLICATION FOR PLANT VARIETY PROTECTION	certificate is to be issued (7 U.S.C. 2421). Information is held conf								
(Instructions and information collection burden stateme	nt on reverse)	until certificate is issued (7 U.S.C	. 2426).						
1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)		2. TEMPORARY DESIGNATION OR	3. VARIETY NAME						
Agninus Sonds Inc		EXPERIMENTAL NUMBER							
Agripro Seeds, Inc.		N92-2031	Gunner						
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and County	וער	5. TELEPHONE finclude area code!	FOR OFFICIAL USE ONLY						
	•	913-384-4940	PYPO: NUMBER 9600217						
6700 Antioch		913-304-4940	JUUULIL						
P.O. Box 2962			EU						
Shawnee Mission, Kansas 66201-1362) -	6. FAX (include area code)	DATE						
		913-384-0208	1 10 00						
			181.4-12-96						
7. GENUS AND SPECIES NAME	8. FAMILY NAME (Bota	nical)	FIUNG AND EXAMINATION FEE						
Triticum aestivum	Gramine	ae	1001154 50						
			2450.00						
9. CROP KIND NAME (Common name)			DATE						
Hard Red Spring Wheat			* 03/27/96						
· · · · · · · · · · · · · · · · · · ·			C CERTIFICATION FEE						
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATI	ON (corporation, partners	hip, association, etc.) (Common name)	E						
			1300,00						
11. IF INCORPORATED, GIVE STATE OF INCORPORATION		12. DATE OF INCORPORATION	E DATE						
Delaware '		June 1994	06/10/91						
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE	IN THIS APPLICATION	AND RECEIVE ALL PAPERS	14. TELEPHONE finclude area code)						
Robert Bruns	· · · · · · · · · · · · · · · · · · ·	ristine Bruns	970-532-3721						
806 N. Second Street OR	Ber	rthoud, CO	16. FAX (include area code)						
P.O. Box 30									
Berthoud, Colorado 80513			970-532-2035						
16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow ins	tructions on reverse)		<u> </u>						
a. Exhibit A. Origin and Breeding History of the Variety	*								
b. 🗡 Exhibit B. Statement of Distinctness	* · ·		:						
c. 🖔 Exhibit C. Objective Description of the Variety	•								
d. 🖰 Exhibit D. Additional Description of the Variety	•								
e. 🗡 Exhibit E. Statement of the Basis of the Applicant's Ownership			•						
f. Noucher Sample (2,500 viable untreated seeds or, for tuber propagated to	varieties verification that s	issue culture will be denovited and in the	d in a public repository!						
g. Filing and Examination Fee (\$2,450), made payable to "Treasurer of the			, , , , , , , , , , , , , , , , ,						
17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VA			n 83(a) of the Plant Variety Protection Acti?						
YES IIf "yes," answer items 18 and 19 below!	NO Of "no," go								
18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS	TO NUMBER OF 18	. IF "YES" TO ITEM 18, WHICH CLASSES	DE PRODUCTION REYOND ARFEDER SEED?						
GENERATIONS?									
		FOUNDATION REGISTERS							
20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEA		OR SALE, OR MARKETED IN THE U.S. OR O	THER COUNTRIES?						
YES (If "yes," give names of countries and dates)	10								
21. The applicant(s) declare that a viable sample of basic seed of the variety will be fu	rnished with application a	nd will be replenished upon request in accor	dance with such regulations as may be						
applicable, or for a tuber propagated variety a tissue culture will be deposited in a	public repository and ma	intained for the duration of the certificate.							
The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tu	er propagated plant varie	ty, and believe(s) that the variety is new, dis	itinct, uniform, and stable as required in						
Section 41, and is emitted to protection under the provisions of Section 42 of the I	Plant Variety Protection A	ct.	<u>and an entropy and an entropy of the second of the second</u>						
Applicant(s) is(are) informed that false representation herein can jeopardize protect	ion and result in penalties	•							
IGNATURE OF APPLICANT IOWNER(SI)	. SIGNATU	RE OF APPLICANT (Owner(s))							
1/1/4 H		:							
AME (Please print or type)									
Robert Bruns	NAME (PI	ease print or type)							
APACITY OR TITLE DATE	CAPACIT	OR TITLE	DATE						
General Manager-Wheat Research 48	-8/		·						
D-470 (04.95) (Province of State of Sta	<u> </u>								
13-44 (12 II)A-GE) (Benning reference at the state of the		<i>4</i> 5							

Exhibit A. Origin and Breeding History of Gunner

Gunner originated as a selection from an F₂ composite of at least 45 single-crosses (see following page) primarily between Canadian CWRS types and US Hard Red Spring Wheat types which were made at Berthoud, CO in the fall and winter of 1984. The F₁ generation was grown in single rows at Berthoud, CO in 1985 and approximately 15g of the resulting F₂ seed from each of these crosses was bulked together to form the F₂ composite population Comp 86-4, which was grown as a space planted population at Berthoud in 1986, bulk harvested, gravity tabled and and the heavy fraction planted as an F₃ population at Berthoud in 1987. The F₃ population was also bulk harvested, gravity tabled and and the heavy fraction planted as an F_4 population at Berthoud in 1988 and susequently as an F₅ population at Rosebank, MB, Canada in 1989. Approximately 960 heads were selected at random from the F₅ generation at Rosebank, bulk threshed and advanced through F₆ by modified single-seed-descent in ten (10) horticultural flats in the Berthoud greenhouse during the winter of 1989-1990. This resulted in 278 F₆ derived F₇ plant rows which were grown at Rosebank, MB in 1990. Forty-eight (48) of these F₇ rows were harvested on an individual row basis and regrown as single F₈ rows at Rosebank in 1991. The F₈ row numbered 3596, was one of 15 rows individually harvested in 1991 from this composite, and was subsequently increased in a counter season nursery in New Zealand during the fall and winter of 1991-92 under the F₉ plot number 522 and entered into UGG/AgriPro preliminary yield trials in 1992 under the line designation N92-2031.

The preliminary performance trials, in 1992, were grown as single replicate plots at Rosebank, MB and Berthoud, CO. N92-2031 was subsequently tested in replicated trials during 1993 and '94 at four locations in Manitoba and four locations in Saskatchewan, Canada each year. In 1994 and '95, N92-2031 was also tested in replicated nurseries at four locations in the Red River valley area of North Dakota and Minnesota. During 1994 it was observed that the performance of N92-2031 relative to the other entries in the nursery, increased in locations with greater severity of Fusarium Head Blight. In 1995, this apparent level of tolerance to Fusarium Head Blight was confirmed in replicated trials and inoculated nurseries conducted by AgriPro and in a multilocation Regional Fusarium Screening Nursery coordinated by the University of Minnesota - USDA/ARS. In addition to the inhouse performance evaluations, N92-2031 was entered into the Hard Red Spring Wheat Uniform Regional Nurseries and in six state tests at and near the Langdon Experiment Station in North Dakota, in 1995. The line N92-2031 was assigned the name of Gunner in 1995. Gunner was also entered into the 1995 Canadian Central Bread Wheat Coop First Year Trials under the experimental designation BW211.

In 1993, one hundred (100) F₁₀ derived F₁₁ headrows were grown at Rosebank, MB. The rows with uniform appearance were bulked and used to plant a 0.2 acre Initial Seed Increase at Berthoud, CO in 1994 which produced 270 pounds of seed. In 1995, a 2.8 acre Breeders Seed increase was grown in Loveland, CO which produced 9,720 pounds of Breeders Seed.

Gunner has been uniform and stable since 1994. Less than 0.8% of the total plants were rouged from the Initial Seed Increase in 1994. Approximately 67% of the rouged plants were taller height (5-15cm) awned wheat plants and approximately 23% were awnletted wheat plants. Up to 0.8% variant plants may be encountered in subsequent generations.

F₂ Populations Combined to create Comp 86-4

Cross No.	<u>Pedigree</u>
C84-280	ANGUS/RL4459
C84-285	BKT/KP
C84-291	CLB/X7993
C84-293	ERA/KP
C84-295	ERA/RL4459
C84-296	ERIK/KP
C84-298	ERIK/RL4459
C84-301	FCH/RL4459
C84-328	KP/BUTTE86
C84-341	MHL/KP
C84-343	MHL/RL4459
C84-357	RL4459/ALEX
C84-358	RL4459/BNT
C84-359	RL4459/BUTTE86
C84-360	RL4459/CLB
C84-361	RL4459/CTU
C84-362	RL4459/KP
C84-363	RL4459/NP
C84-364	RL4459/X7993
C84-365	RL4459/ST
C84-366	RL4459/STOA
C84-367	ST/KP
C84-368	ST/X7933
C84-369	ST/STOA
C84-396	HS78-1139/KP
C84-398	HS78-1139/RL4459
C84-412	HS81-12/RL4459
C84-429	HS81-74/CLB
C84-479	HS81-617/CTU
C84-481	HS81-617/KP
C84-493	HS81-762/BNT
C84-494	HS81769/CLB
C84-497	HS81-769/KP
C84-499	HS81-769/NP
C84-500	HS81-769/RL4459
C84-501	HS81-769/ST
C84-503	HS81-769/HS79-714
C84-546	HS82-175/RL4459
C84-554	HS82-288/KP
C84-557	HS82-288/ST
C84-573	HS82-315/RL4459
C84-587	HS82-361/KP
C84-589	HS82-361/RL4459
C84-591	HS82-361/HS79-714
C84-723	HY353/GLE

Exhibit B.

Statement For Distinctness

Gunner is most similar to the hard red spring wheat 'Gus'. However, it can be easily distinguished by the following morphological characteristic:

1. Gunner has rounded seed cheeks (Berthoud, Colorado 1994 and 1995). Gus has angular seed cheeks (Berthoud, Colorado 1994 and 1995).

U.S DEPARTMENT OFAGRICULTURE AGRICULTURAL MARKETING SERVICE COMMODITIES SCIENTIFIC SUPPORT DIVISION BELTSVILLE, MARYLAND 20705

OBJECTIVE DESCRIPTION OF VARIETY

9600217

INSTRUCTIONS: See Reverse. WHEAT (Triticum Spp.)

NAME OF APPLICANT(S) Agripro Seeds, Inc.	FOR OFFICIAL USE ONLY
	PVPO NUMBER
ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code)	
6700 Antioch	VARIETY NAME OR TEMPORARY DESIGNATION
P.O. Box 2962 Shawnee Mission, Kansas 66201-1362	Gunner
Place the appropriate number that describes the varietal character of this variety in	
Place a zero in the first box (e.g. or) when number is either 99 or	less or 9 or less.
. KIND:	
1	
1 = COMMON 2 = DURUM 3 = CLUB 4 = OTHER (SPECIFY)_	
. VERNALIZATION:	
1 1 = SPRING 2 = WINTER 3 = 0THER (SPECIFY)	
. COLEOPTILE ANTHOCYANIN:	
- COLOR HIM ANTHOCIANIN	
$1 = ABSENT \qquad 2 = PRESENT$	
. JUVENILE PLANT GROWTH:	
···	•
$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	
. PLANT COLOR (boot stage):	
2 1 Amy Core (boot stage).	
1 = YELLOW-GREEN $2 = GREEN$ $3 = BLUE-GREEN$	
. FLAG LEAF (boot stage):	•
$ \begin{array}{c c} 1 & = ERECT & 2 = RECURVED \end{array} $	
1 - Breect 2 - Recory ED	
2	
1 = NOT TWISTED 2 = TWISTED	
EAR EMERGENCE:	
NUMBER OF DAYS EARLIER THAN	*
	/
NUMBER OF DAYS LATER THAN GUS	*
ANTHER COLOR:	
1 = YELLOW 2 = PURPLE	
PLANT HEIGHT (from soil to top of head, excluding awns)	
 	·
cm. TALLER THAN	*
3. 0 cm. SHORTER THAN Gus	•
CONTRACTOR OF THE PROPERTY OF	

^{*} Relative to a PVP-approved commercial variety grown in the same trial.

3. SEED:	CLADE		•			.:
	HAPE					4
	1 = OVATE 2 = 0	OVAL 3 = ELLIPTICA	L			
	HEEK	•			9	60021
	1 = ROUNDED 2	= ANGULAR				0.002
C. BI	RUSH					
3	1 = SHORT $2 = M$	ÆDIUM 3 = LONG			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	•
1	1 = NOT COLLARED	2 = COLLARED				
-	REASE					
	1 = WIDTH 60% OR 1 2 = WIDTH 80% OR 1 3 = WIDTH NEARLY					
1	1 = DEPTH 20% OR I 2 = DEPTH 35% OR I 3 = DEPTH 50% OR I	LESS OF KERNEL				
E. CO	LOR		· ·			•
3						
لسيط	XTURE		HER (specify)			
F. TE		FT instructions)	HER (specify) 3 = LIGHT BROWN			
F. TE	XTURE 1 = HARD 2 = SO ENOL REACTION (see	FT instructions)				
F. TE	XTURE 1 = HARD 2 = SO ENOL REACTION (see 1 = IVORY	FT instructions) 2 = FAWN 5 = BLACK	3 = LIGHT BROWN	øderately re	sistant 4=t	olerant
F. TE	XTURE 1 = HARD 2 = SO ENOL REACTION (see 1 = IVORY 4 = DARK BROWN (0 = NOT TESTED;	FT instructions) 2 = FAWN 5 = BLACK	3 = LIGHT BROWN 2 = RESISTANT) _{3=m}		sistant 4=t	olerant
F. TE G. PH DISEASE:	XTURE 1 = HARD 2 = SO ENOL REACTION (see 1 = IVORY 4 = DARK BROWN	FT instructions) 2 = FAWN 5 = BLACK	3 = LIGHT BROWN	r	sistant 4=t	olerant
F. TE 1 G. PH	THARD 2=SO ENOL REACTION (see 1=IVORY 4=DARK BROWN (0=NOT TESTED; STEM RUST (Res. genes)	FT instructions) 2 = FAWN 5 = BLACK	3 = LIGHT BROWN 2 = RESISTANT) ₃₌₍₁₎ 2	r ———	sistant 4=t	olerant
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F. TE 1 G. PH DISEASE: 3	THARD 2=SO ENOL REACTION (see 1 = IVORY 4 = DARK BROWN (0 = NOT TESTED; STEM RUST (Res. genes) STRIPE RUST (Res. genes) MILDEW (Res. genes) Septoria nodorum	FT instructions) 2 = FAWN 5 = BLACK	3 = LIGHT BROWN 2 = RESISTANT) _{3=m} 2	IUT ici	sistant 4=t	olerant
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9600217

Exhibit D.

Additional Description of Gunner

9600217

Gunner is a hard red spring wheat bred and developed by Agripro Seeds, Inc. Gunner is a tall semidwarf variety adapted to the northern Hard Red Spring Wheat region. Gunner has average yield potential, with exceptionally high test weights and high grain protein content. Gunner was entered into UGG/Agripro preliminary yield trials in 1992 under the line designation N92-2031.

Juvenile growth habit is erect. Plant color at boot stage is green. The flag leaf is erect and twisted. Auricle anthocyanin and auricle hairs are present. Waxy bloom is present on the stem, head and flag leaf sheath. The head is tapering, middense and awned. Glumes are short and narrow with rounded shoulders and acuminate beaks. Seed shape is ovate.

Exhibit E.

9600217

Statement Of The Basis Of Applicant's Ownership

The variety for which Plant Variety Protection is hereby sought was developed by Mr. Joe Smith and Dr. D.B. Cooper, employees of Agripro Seeds, Inc. By agreement between employees and Agripro Seeds, Inc., all rights to any invention, discovery, or development made by the employee while employed by Agripro Seeds, Inc., were assigned to Agripro Seeds, Inc., with no rights of any kind pertaining to 'Gunner' being retained by the employees.

Exhibit F.

Quality and Agronomic Data

9600217

Quality Data	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	• •	•	1	!
Agronomic Data.					•							٠.						•												2

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YEAR: 1995

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	WHT		14%mb		15.4		15.7	15.1	14.0	14.4		14.9		15.1		14.0	14.4	14.5		
	TEST	!	lb/Bu					6 0.1			,	60.1					59.1	59.1	,	
*	YFAR-1.OC				95-PR	95-民	%-07-	24 MM	83 83 83	92-RB		AVERAGE		20. EH 1	주	8 2	94-M	AVERACE		

8-9-INACCEPTABLE 6-7=QUESTIONABLE 3-4=VERY GOOD 5=ACCEPTABLE 1-2=EXCELLENT RATTINGS

9600217

Over Year Comparison Gunner vs Gus

Location	<u>Year</u>	<u>Height</u>	GUNNER	<u>GUS</u>	
Berthoud, CO	95	Ht-cm	105.0	110.0	
Park River, ND	95	Ht-cm	<i>87.</i> 0	88.0	
Average	95	Ht-cm	96.0	99.0	~ 3 cm shorter than Gus
			- in		
		<u>Scab</u>	<u>GUNNER</u>	<u>GUS</u>	
Park River, ND	95	Scab-R	2.0	8.0	
Casselton,ND	95	Scab-R	2.0	5.0	
Fisher, MN	95	Scab-R	4.0	<i>7.</i> 0	
Borup, MN	95	Scab-R	2.0	6.0	
Crookston,MN	95	Scab-R	3.0	6.0	
Casselton,ND	94	Scab-R	3.3	5.8	
Borup, MN	94	Scab-R	2.5	6.5	
Park River, ND	94	Scab-R	3.0	4.0	
Average	94-95	Scab-R	2.7	6.0	More tolerance to Scab than Gus
		<u>Yield</u>	<u>GUNNER</u>	<u>GÚS</u>	
1995 x 10 Loc. Ave	95	Bu/Ac	37.9	35.1	
1994 x 4 Loc. Ave.	94	Bu/Ac	48.0	36.3	<u> </u>
Weighted Ave.	94-95	Bu/Ac	40.8	35.4	
		TT = 1. XA70	CIMMED	OTTO	
1005107 4	05	Test Wt.	GUNNER	<u>GUS</u>	
1995 x 10 Loc. Ave	95	Lb/ Bu	59.1	55.1	
1994 x 4 Loc. Ave.	94	Lb/ Bu	60.4	55.8	_
Weighted Ave.	94-95	Lb/ Bu	59.5	55.3	
		%Protein	GUNNER	<u>GUS</u>	
1995 x 9 Loc. Ave.	95	%	16.1		
1994 x 3 Loc. Ave.	93 94	% %	16.1	15.9	
Weighted Ave.	94-95			17.2	- T11- C
Meighted Ave.	フリーフン	%	16.1	16.2	~ Equal to Gus